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HONOURABLE SRI JUSTICE B.PRAKASH RAO
AND
HONOURABLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO:5285 of 2006

DATED: 20-07-2006

Between:

1. The District Collector, Adilabad District and another

.....
PETITIONERS

AND

Md.Tameez

.....RESPONDENT

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ORDER: (per BPR, J)

Heard both sides, and at their request, the main writ petition itself is taken up for disposal.

The petitioners herein by way of writ of certiorari *interalia* seek to assail the interim orders passed by the A.P. Administrative Tribunal in O.A.No.6095 of 2004 dated 08-11-2004.

The main submission made on behalf of the petitioners is that having regard to the interim relief sought for in the said application filed under Section 19 of the Administrative Tribunal Act, which virtually runs on the same lines of the main relief, there is no justification to grant interim orders, as it would amount to allowing the very application itself.

This Court has initially granted interim order in W.P.M.P.No.6722 of 2006 on 10-04-2006. During the course of arguments, it is also represented by the learned counsel appearing for the contesting respondent herein that since the said interim order was not implemented they have already filed contempt case in C.A.No.143 of 2005 and the same is still pending.

Having heard the learned counsel on either side and also on perusal of the record, it is seen that since the order under challenge is only an interim order, we deem it appropriate not to go into merits. However, the petitioners have got ample remedy of approaching the tribunal seeking for vacate stay. In fact, the Government Pleader already filed a counter-affidavit in the main OA.

Accordingly, the Writ Petition is disposed of directing the petitioners to pursue the vacate application and seek necessary final orders thereon and it is needless to mention that till the final orders are passed in vacate stay, C.A.No.143 of 2005 need not be

taken up. If no such application is filed seeking for vacate stay, the petitioners shall file the same within a period of two weeks from today. No costs.

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B.PRAKASH RAO, J

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RAMESH RANGANATHAN, J

20th July, 2006
SKM